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Her Majesty's Inspectorate
for Education and Training in Wales

Review of Disability Equality Schemes and practice in schools and pupil referral units

June 2011



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- secondary schools;
- special schools;
- pupil referral units;
- independent schools;
- further education;
- adult community learning;
- local authorities;
- teacher education and training;
- work-based learning;
- careers companies; and
- offender learning.

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- makes public good practice based on inspection evidence.

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Summary

Over the last three years, mainstream schools and pupil referral units (PRUs) have improved the way they promote disability equality and access but special schools succeed better than both sectors.

Almost all schools and PRUs have a published accessibility plan and a disability equality scheme that includes an updated action plan which is approved by their governing body. Schools' schemes, action plans and practice vary considerably in scope and quality. The best action plans identify intended actions, timelines and responsibilities for actions. The majority of schemes focus on pupils with physical or visible disabilities, rather than the full range of disabilities. Most parents and pupils are unaware of these plans and schemes. Schools and PRUs do not evaluate the impact of their schemes well enough.

In most schools and PRUs, better partnership working is improving outcomes for people with disabilities. Partnerships between special and mainstream schools widen the opportunities and improve support for pupils with disabilities.

Most pupils with disabilities and their parents are positive about the pupils' educational and social progress. Most schools and PRUs make favourable adjustments and adaptations to the curriculum and the school environment that are appropriate to pupils' individual needs.

All schools have anti-bullying policies. Although a small minority of pupils with disabilities in mainstream schools say that they have been bullied, they are positive about the actions their schools take to address this bullying.

Throughout this report, the term 'schools' will refer to mainstream and special schools and PRUs.

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Main findings

- 1 Overall, primary, secondary and special schools and pupils referral units (PRUs) are getting better at addressing disability equality. Generally, the promotion of disability equality and the improvement of physical access are better in special schools than in mainstream schools and PRUs.
- 2 Special schools are better at removing barriers for pupils with disabilities than most mainstream schools and PRUs. Many PRUs have been slow to respond. Many older secondary school premises continue to require considerable work to make appropriate adaptations and favourable adjustments.
- 3 All managers have positive attitudes to promoting disability equality and understand the need to make changes to whole-school facilities and approaches to promote disability equality, as well as to continue to meet the needs of individuals. Not all managers have succeeded in making the necessary changes.
- 4 Schools are aware of the Welsh Assembly Government's guidance on 'Promoting Disability Equality' 2007 and almost all have an updated Disability Equality Scheme, which includes an action plan that is scrutinised and approved by the governing body. The Welsh Assembly Government's guidance on 'Promoting Disability Equality' 2007 is used effectively by most schools to develop or monitor schemes. However, the content and development of Disability Equality Schemes vary in quality and scope. Neither does a well-written Disability Equality Scheme always result in the most inclusive school practice. In a few special schools, the practice is better than what is recorded in their scheme.
- 5 Most Disability Equality Schemes are published and are available electronically on schools' websites, as well as in paper form. Most schools make their Disability Equality Scheme available on request in other formats. For example, they may be modified for a parent with a visual impairment or translated into other languages. However, many parents and most pupils are unaware of the schemes.
- 6 Almost all parents are very positive about schools' efforts to meet the needs of their children with disabilities. However, a few parents experience difficulties with local authorities in the early stages of having their child's needs recognised and provision adequately resourced.
- 7 All governing bodies monitor their school Disability Equality schemes annually. A few governors, including those with disabilities, visit schools regularly to monitor accessibility and challenge progress against action plans.
- 8 There are few staff with disabilities in the schools visited. The few staff with disabilities interviewed were involved in developing and evaluating policies, including Disability Equality Schemes.
- 9 Managers identify and deal effectively with incidents of bullying when bullying occurs. A minority of the pupils with disabilities questioned recall times when they have been

called names that referred to their disability. However, these pupils were pleased with the way their schools followed up these incidents.

- 10 Most local authorities have good partnerships with their schools and work collaboratively to promote disability equality. Since 2007, all local authorities have delivered disability equality training and most continue to monitor and support.
- 11 In many local authorities, a number of additional partnerships, including those with health and social services, improve the targeted support for pupils with disabilities. However, in a few authorities the provision of specialist equipment to schools is not well managed.
- 12 The definition of disability in the Disability Discrimination Act is wide and most school managers address the full range of pupils' needs. However, a minority of managers of PRUs are not aware enough of the breadth and relevance of the disability legislation to their pupils or their responsibilities, for example to promote positive images of disability or ensure they have appropriate data about the disabilities of pupils and staff.
- 13 All pupils with disabilities interviewed in schools are positive about their progress and school experience. Pupils in PRUs express more mixed views about their progress and their provision.
- 14 Few managers evaluate the impact of their schemes and action plans. Generally, they place more focus on establishing policies and processes, for example on collecting data, rather than assessing the impact of their actions.
- 15 Since 2007, the number of all appeals to the Special Educational Needs Tribunal for Wales has decreased. The number of appeals for reasons of disability equality remains very low, indicating that, overall, parents are satisfied with provision.

Recommendations

Schools and pupil referral units should:

- R1 raise awareness amongst pupils, parents and communities about their Disability Equality Scheme and action plan and encourage them to become more involved;
- R2 ensure that premises are appropriate, particularly in practical and workshop areas; and
- R3 strengthen mechanisms to track progress in implementing Disability Equality Schemes and measure their impact on persons with disabilities.

Local authorities should:

- R4 ensure that staff at PRUs fully understand their responsibilities and make appropriate provision to promote disability equality;
- R5 continue to work with schools to make appropriate adjustments to ensure that premises are appropriate;
- R6 monitor Disability Equality Schemes more frequently and provide feedback to schools and PRUs to ensure greater consistency of policy and practice; and
- R7 review the co-ordination of services to supply specialist equipment to schools.

The Welsh Assembly Government should:

- R8 continue to monitor the impact of its policies to improve equality for pupils and other people with disabilities in schools and pupils referral units; and
- R9 update their guidance to schools, in view of the Equality Act 2010, to support schools in continuing to meet the needs of all pupil groups, including those with disabilities.

Context

- 17 This report, which has been produced in response to the annual Ministerial remit to Estyn, looks at how well schools are responding to the duties introduced by the Disability Discrimination Act 2006. It provides an update on progress, following an earlier Estyn publication 'Disability Discrimination Act (1995) the practice of schools and local education authorities in implementing their duties' (Estyn, 2007). Throughout the report, the term 'schools' will be used to refer to all schools, including PRUs. The terms 'primary', 'secondary' and 'special schools' or 'PRUs' will be used to highlight differences in provision in different types of school.
- 18 In September 2007, the Welsh Assembly Government issued guidance to all maintained schools and PRUs called 'Promoting Disability Equality in Schools'. The guidance highlights the general and specific duties introduced for schools as a result of the Disability Discrimination Act 2006 (DDA 2006).
- 19 One of the specific duties for schools is to produce a Disability Equality Scheme. The guidance to schools highlights the importance of involving people with disabilities, including parents, pupils, staff and others, in this work. The disability legislation also highlights the importance of making changes to facilities, policies and processes of the whole school to achieve disability equality, as well as continuing to take action to meet the needs of individuals.
- 20 The DDA 2006 places a general duty on all public authorities, including schools, when carrying out their functions to:
- promote equality of opportunity between people with disabilities and other persons;
 - eliminate discrimination that is unlawful under the DDA 1995;
 - eliminate harassment of disabled persons that is related to their disabilities;
 - promote positive attitudes towards people with disabilities;
 - encourage participation by people with disabilities in public life; and
 - take steps to meet the needs of people with disabilities, even if this involves treating them more favourably than others without disabilities.
- 21 In addition, there is a specific duty on all publicly funded schools to demonstrate how they are meeting the general duty. This specific duty includes a requirement for schools to have prepared and published a Disability Equality Scheme by 1 April 2007. In broad terms, the general duty sets out what schools have to do and the specific duty sets out how they are going to do it.
- 22 The Welsh Assembly Government's aim is to achieve equality of opportunity for persons with disabilities in Wales. This review is intended to inform Welsh Assembly Ministers who have a legal duty to publish a report every three years on the implementation of the disability duty in Wales. The First Minister for Wales's report in 2008 identified the need to make better use of information from inspection bodies to inform future reports.

- 23 In October 2010, new legislation, the Equality Act, replaced the DDA 2005. However, the Disability Equality Duty, introduced in 2006, continues to apply to public organisations, including schools. The requirement to produce and publish Disability Equality Schemes remains the same.
- 24 The definition of disability used in this report is that adopted in the Disability Discrimination Act 1995 (amended) which defines a disabled person as 'A person who has a physical or mental impairment that has a substantial and long term adverse effect on his or her ability to carry out normal day-to-day activities'.
- 25 Physical or mental impairment includes sensory impairment and communication impairments. The definition also covers certain progressive health conditions when the condition has been diagnosed and it has a long-term and substantial effect on a person's everyday life. These include:
- cancer;
 - diabetes;
 - epilepsy;
 - HIV;
 - multiple sclerosis;
 - hearing or sight impairments;
 - mobility difficulties;
 - mental health difficulties; and
 - learning difficulties.
- 26 A summary of relevant recent research in relation to disability equality schemes and practice in schools can be found in appendix 1.

Improving access and provision

- 27 Overall, primary and secondary schools have improved the way they address disability equality since guidance was introduced in 2007. Due to the small sample of special schools and PRUs inspected each year, it is difficult to identify trends for these sectors. The tables below summarise the grades awarded during inspections of half the schools in Wales over a period of three years between 2007 and 2010. The award of grade 2 or above means that provision for that aspect given in the titles of the tables was good or better. The numbers in brackets represent the total of providers inspected.

Table 1: Schools awarded grade 2 or above in inspections for ‘how effectively they secured equal treatment of disabled pupils and made reasonable adjustments to avoid putting them at a substantial disadvantage’

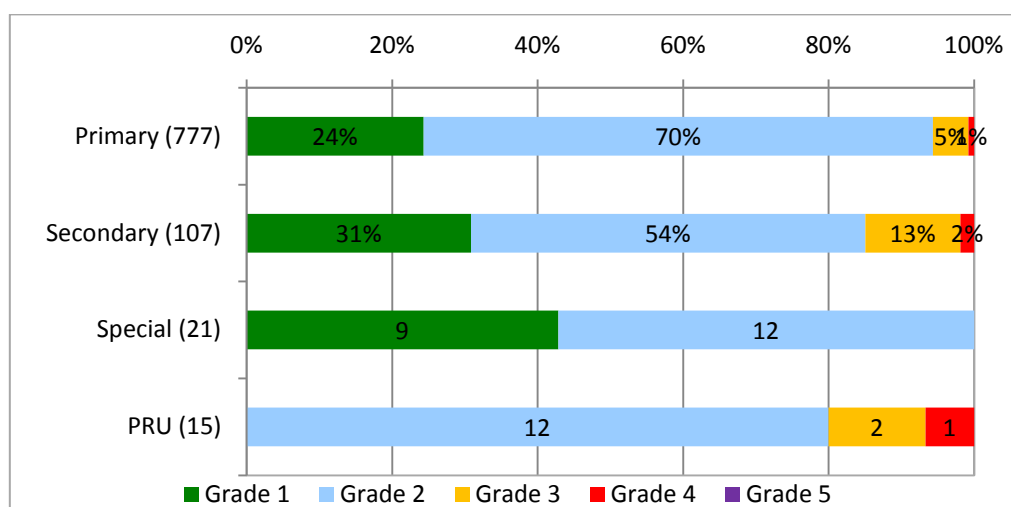
	2007-2008	2008-2009	2009-2010
Primary schools	93% (260)	93% (257)	97% (260)
Secondary schools	74% (35)	86% (36)	95% (36)
Special schools	7 (7)	8 (8)	6 (6)
PRUs	5 (7)	3 (4)	4 (4)

Table 2: Schools awarded grade 2 or above in inspections for ‘how effectively their accommodation provided a suitable setting for good teaching, learning and support for pupils’

	2007-2008	2008-2009	2009-2010
Primary schools	72% (260)	79% (257)	80% (260)
Secondary schools	46% (35)	59% (36)	55% (36)
Special Schools	6 (7)	5 (8)	3 (6)
PRUs	1 (7)	0 (4)	2 (4)

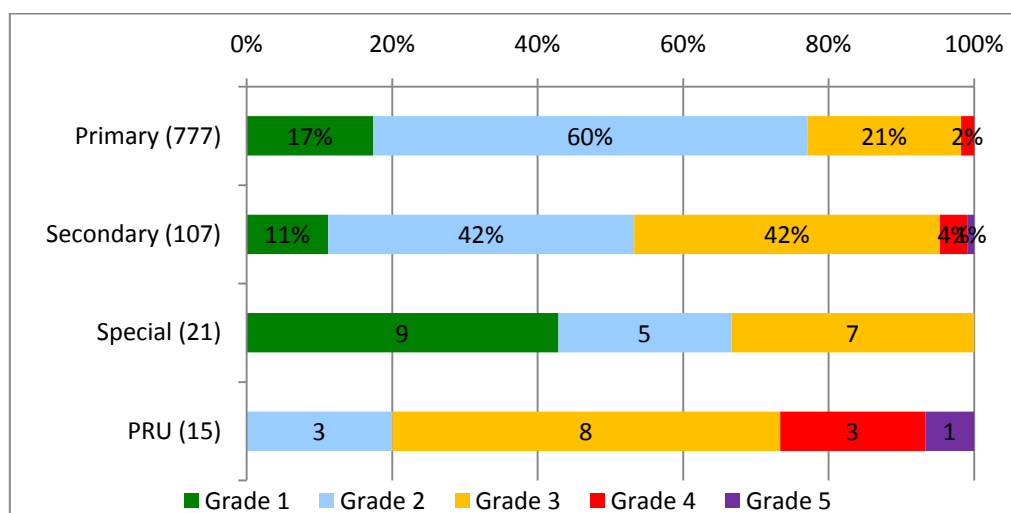
- 28 Generally, the inspection grades awarded by Estyn since the introduction of guidance in 2007 for promoting disability equality and improving physical access to schools are higher for special schools than for mainstream schools and PRUs, as illustrated in the charts below. The charts below summarise data from Estyn inspections for aspects given in the titles during inspection in the period from 2007 to 2010 and show the distribution of grades awarded on Estyn’s five-point scale. The numbers in brackets refer to the number of inspections included in the analysis.

Chart 1: 2007-2010 inspection grades awarded for how effectively schools secured equal treatment of disabled pupils and made reasonable adjustments to avoid putting them at a substantial disadvantage¹



Examples of the reasonable adjustments made by schools included curriculum differentiation, adaptations for sensory needs and the use of additional teaching assistants. In addition, schools carefully planned and made appropriate adjustments for school events or trips and adapted formats for information and communication with parents, such as texting machines.

Chart 2: 2007-2010 inspection grades awarded for how effectively accommodation in schools provided a suitable setting for good teaching, learning and support for pupils



Examples of adjustments to accommodation and resources included adapted toilet and changing facilities, ramps, lifts, hoists, parking and entrance adjustments and signage. Schools also made improvements in access to specialist equipment, or to the layout and organisation of school sites, classrooms, and practical and communal areas. Both charts illustrate that the best provision, in terms of making reasonable

¹ Where sample sizes are around 20 or less, actual numbers rather than percentages are shown.

adjustments and providing appropriate accommodation, is in special schools while the worst is in PRUs.

Access to buildings

- 29 Many of the special schools visited as part of this survey had purpose-built provision which ensured minimal physical barriers and good access to learning opportunities. In the best examples, parents and senior managers had worked well together to identify and procure specialist resources to help extend pupils' skills and experiences.
- 30 Improving physical access remains a priority for many mainstream primary and secondary schools. Improved door and parking access are the most common adaptations. There are examples where adaptations such as lifts, ramps, and well-adapted toilet and changing facilities have made a very positive difference.
- 31 However, the majority of secondary schools, especially those with older buildings and narrow doors and corridors, are yet to be suitably adapted. In too many of these schools, despite the best efforts of staff, pupils with restricted mobility resort to wheelchair support when confronted with the heavy corridor traffic. This is because these pupils feel safer and more confident in their wheelchairs than in using other walking aids in the corridors. Arrangements such as early transitions to and from lessons are helpful for pupils with restricted mobility. The main problems relate to break and lunchtimes when pupils need to move quickly around a school and their progress is impeded by the volume of other pupils moving around at the same time. A Year 9 pupil with cerebral palsy in a mainstream secondary school said:
- "I want to be walking more but it's not always easy. I feel safer in the chair. I know where the crushes are and at lunchtimes my friends are with me. It's confidence really. I walk more at home, but I am afraid of falling in school, as I get tired and my legs ache. I've just got a new chair. It's great but too wide so the double doors need to be opened to get through."**
- 32 The forward planning of time-tables and well-considered adaptations to the lay-out of specialist teaching areas, such as design technology or science, are examples of good practice. About half of secondary schools visited had purchased higher tables to accommodate wheelchair users more comfortably.
- 33 The range of accommodation varies greatly in the PRUs visited and generally the adaptations made are minimal. The design and layout of some of the buildings do not allow for flexible adaptation, other than disability parking and adapted door access. Newer buildings that accommodate PRUs could be modified more easily. However, no pupils with physical disabilities were placed in any of the PRUs visited.

Curriculum access

- 34 Most pupils with disabilities access the core curriculum very well with appropriate additional support. A Year 7 pupil with a number of disabilities, including a visual impairment, described her experience in one secondary school as follows:

“I am very happy in the school. All the teachers make sure that I sit at the front of the class so that I can see the whiteboard. I know where to go for help when I need it and I have settled well in the school and I like it here. I am able to go to the learning support area lunchtimes and break times which I like. We have a club there during lunchtimes. I have a card which allows me to leave every lesson five minutes early as I cannot manage the corridors when they are full of pupils. I also leave early at the end of the day which is good. I like being in a small class (small discrete class for pupils in Year 7 with learning difficulties). I really enjoy all the work I do in ICT which is my favourite subject. The school has adapted the settings for me so wherever I log in on a computer around the school the same settings appear. They suit my individual needs.”

- 35 In one primary school with pupils who have a hearing impairment, the specialist teacher signs throughout assemblies. The regular use of visual resources benefits all pupils. All pupils sing and sign some songs, or choruses of songs, on a regular basis. The whole-school community learns one new sign every week.

School trips and extra-curricular activities

- 36 Most of those pupils with disabilities in mainstream schools can take part in educational visits during the school day, along with their peers. Forward planning and risk assessments allow reasonable adjustments to be made and it is exceptional for such pupils not to be included. There are many examples of good practice where all proposed school trips are audited to eliminate those which are not inclusive.
- 37 There are also many excellent examples of positive adjustments being made to facilitate inclusion of pupils with disabilities on residential trips (see case study 3 in appendix 2). Where this is too challenging and risky, overnight stays rather than longer residential trips are organised. On occasions, this necessitates the pupil's day attendance only, and daily transport is provided.
- 38 However, for many pupils with disabilities, attendance at extended-day activities remains a challenge. This is mainly caused by a lack of available additional adult support, beyond the school day, or difficulties with transport arrangements. In many local authorities, there is an over-reliance on parents providing transport. In a few instances, schools fund these adjustments from their own budgets. For example, special schools frequently run after-school clubs and organise and fund pupil transport for these. In many special schools, staff members volunteer to stay on after school to support pupils. In the best examples, schools overcome these difficulties. A parent of a primary-age pupil with disabilities comments:

“My son has a fluctuating hearing loss and the school will always adapt his curriculum accordingly. They are very flexible. He has always been encouraged to participate in extended day activities and has been a member of

the football club, lacrosse club and eco club. The school always deals appropriately with his specialist equipment. When he has new radio aids they sort everything out immediately in school.”

Transition arrangements

- 39 Transition, particularly from primary to secondary school, is a crucial time for planning and for sharing information between schools and support agencies. For parents of children with disabilities this is particularly important and transition was a common concern expressed by most parents. Good forward planning for this is evident in most of the schools visited. Many schools start the process early when pupils are in Year 5. Effective collaboration between schools, parents, and partner agencies greatly increases the chance of smooth transfer, particularly for pupils with disabilities. Most schools have developed good transition protocols which include specific questions aimed at providing sensitive opportunities for families to declare any additional health, disability or social needs that need to inform planning.

Promoting positive attitudes towards people with disabilities

- 40 Most provision visited makes good use of targeted resources, curriculum themes and inter-school links to foster positive attitudes to people with disabilities. Posters displaying sportspeople and people in public life with disabilities are commonly on display in the corridors and libraries of many of the schools visited. These successful people, who have overcome many personal barriers, provide inspirational and positive role models for pupils. In most primary and special schools visited, promoting disability equality is a regular feature of assemblies and personal and social education lessons.
- 41 Good practice, whereby pupils with disabilities use their personal strengths to become, for example, information and communication technology leaders or playground buddies is evident in most schools. In one school, a display of photographs of pupils with disabilities who are school buddies also provides positive models of disability. Governors and staff members with disabilities provide role models for all pupils, including those with disabilities.
- 42 There are also many good examples where leaders have invested in reading materials to highlight the difficulties encountered by people with disabilities in society. These resources aid pupil discussion and help pupils develop an understanding of the social model of disability.
- 43 Disability Sport Wales development officers visit many schools on a regular basis and support the set up of clubs and disability specific activities such as Bocce (see glossary), for pupils with more severe difficulties. In the best examples, this has provided an effective pathway to great individual pupil achievement which others can emulate (see case study 4 in appendix 2).

Communication

- 44 All schools visited use an open-door policy for communication with parents. At an individual pupil level, this strategy works well and is thought highly of by pupils, parents and staff. A parent of a Year 9 pupil with profound physical and medical needs reflected on the difference in communication between the primary school and secondary school she now attends:

“There was an open door policy in the primary school and excellent communication with the learning support assistant. At secondary school direct communication with staff has been more difficult, but the dialogue in the home-school contact book, which has been ongoing, is crucial. My daughter has always been listened to in both schools and they have always made an effort to respond positively to her needs. Very good communication with both schools but easier in the primary school. We always received all necessary information.”

- 45 Some leaders increase the channels of communication with parents in various ways including using texts for a parent with hearing difficulties, home-school books, information evenings, coffee mornings and surveys.

- 46 Pupils also report that they feel that they are listened to, particularly at review meetings where they participate in target-setting and reviewing along with their parents. However, a few pupils in secondary schools say that there are not enough opportunities for pupils and staff to gain a better general understanding of their disabilities. This is a shortcoming in these schools. A Year 9 pupil with profound medical needs reflects this:

“I felt that I was listened to in primary school. I would tell my mother who would in turn speak to the learning support assistant. I have always liked being involved in decisions about whether or not I can or cannot participate in different activities but this did not happen enough at primary school. I would like more opportunities to be made available for people to understand my disability. This could ensure a better understanding of my needs and could improve my relationship with both peers and staff. Staff and peers who understand the disability, and have received training, are always far more confident and relaxed in my company and treat me as the person I am and not the person they see.”

Developing Disability Equality Schemes

Disability Equality Schemes

- 47 Schools had a specific duty to produce a Disability Equality Scheme by 1 April 2007. This scheme should be approved by governors, reviewed annually and replaced every three years. The scheme must include:
- a statement about how people with disabilities have been involved in developing the scheme;
 - an action plan that includes ways in which improvements will be made;
 - arrangements for gathering information on the effect of schools' policies on pupils and staff with disabilities;
 - how the school assesses the impact of its policies on disability equality; and
 - how information will be used to review the action plan and inform subsequent schemes.
- 48 Almost all schools visited have detailed, up-to-date Disability Equality Schemes with action plans in place, as well as accessibility plans. In most cases, these plans exist as separate documents. The corresponding action plans generally identify appropriate tasks, timescales and staff responsibilities.
- 49 Schools' schemes, action plans and practice vary considerably in scope and quality. Some schools have made better progress in taking action against their plans than others during the last three years. Most plans make good reference to links with other policies such as the school's policies for inclusion, anti-bullying, behaviour and for educational visits.
- 50 A common weakness in schemes is how schools monitor and evaluate progress. Schools do not plan to evaluate the impact of their plans and schemes well enough.
- 51 Most schools adapt generic templates provided for them by their local authority to develop their schemes. A few schools have well-embedded, fully-inclusive practice that is not completely acknowledged in their written scheme. In a few cases, well-written policies do not reflect practice, which is no more than adequate.
- 52 The majority of schools have evaluated their initial Disability Equality Scheme and have produced a second scheme, in line with the three-year cycle required by the legislation. A very few schools do not have a Disability Equality Scheme. One PRU is working from an accessibility plan only.
- 53 All leaders demonstrate positive attitudes to promoting disability equality and understand fully the need to make changes to whole-school facilities and approaches to promote disability equality as well as continuing to meet the specific needs of individual pupils. Progress is influenced strongly by the availability of funding.
- 54 Although the Disability Equality Scheme should apply widely to all people with disabilities, the main emphasis, in practice, is on pupils with physical or visible

disabilities. The majority of mainstream schools and PRUs do not consider the full range of pupils, parents or staff with disabilities.

- 55 Most Disability Equality Schemes are published on the school's website and are available in paper form and electronically. On request, most schools make their Disability Equality Scheme available in other formats. For example, they modify them electronically for parents with a visual impairment, produce versions in Braille or translate into other languages, such as Polish. A particular example of good practice is where one local authority has produced an Easy Read version of its Disability Equality Scheme for the public. However, most parents and pupils do not know about the existence of the schemes. Since the launch of the DDA legislation, all local authorities have provided training to support provision in applying the Disability Equality Duty. Most of this training was delivered early in the three-year cycle, although a few authorities are now delivering a second phase of training.
- 56 There are examples of local authorities continuing to monitor and challenge their provision as well as providing support. A few local authorities target new senior managers and special educational needs co-ordinators (SENCOs) for update training on a rolling programme. In two authorities, cluster-working is proving effective in helping to sustain progress by sharing practice and providing wider, more diverse participation.
- 57 Local authorities have good procedures in place for prioritising and allocating funding to meet the needs of pupils with disabilities. In most authorities, there are multi-agency panels which involve a wide range of local partners in making funding decisions about placements, equipment and support for pupils with disabilities. Partnerships with health services work well overall, particularly when specialist equipment is required. In a few areas, the delivery of specialist equipment is not always well-organised and results in delays and unplanned delivery.

Involvement of people with disabilities
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- 58 Schools are all aware of the requirement to involve people with disabilities in the development of the Disability Equality Scheme. Mostly they achieve this by operating an 'open door' policy for all stakeholders. This allows informal discussion and individual exchange of information to happen regularly, but this needs to be strengthened in most schools. There are examples of good practice where leaders also issue questionnaires to staff, parents and pupils. These include questions on disability equality. The information collected is then used purposefully to inform action plans.
- 59 Although many schools make efforts to recruit parents to participate in the development of school policies, this is proving difficult. A few schools make extra efforts to involve parents. However, parent-governors with disabilities are often willing to fulfil this role. In almost all the schools visited, governors played a greater role in developing the disability equality scheme than parents.

“The culture and ethos of the school, along with the open door policy, ensure that disability equality is promoted throughout the school community. Although as a parent I have not been asked to contribute to the DES I have

always known that the school will respond immediately to any concerns that I may have. As a governor I have been very much involved with the development of the scheme”.

- 60 The identification of parents and staff with disabilities can be a sensitive area for leaders to address. Most leaders are aware of which parents and staff have disabilities and, with permission, a few maintain databases of all with disabilities in the school community. However, leaders mostly use existing mechanisms for policy consultation, such as sending policies out to parents on a rota list and making policies available on websites, for parental feedback. This does not result in effective, strategic parental involvement. Generally, neither pupils nor parents are aware of, or participate in, the formal construction and evaluation of the scheme. However, most parents and all pupils with disabilities, in line with their abilities, participate in setting targets at individual planning and review meetings. The following statement was made by a parent of a child with Autism Spectrum Disorder placed in a mainstream primary school:

“We are not asked specifically to contribute to the Disability Equality Scheme but we can always approach any member of staff and discuss issues as they arise. We also have very comprehensive school reports and a voice in annual reviews and meetings. There is an excellent home-school diary which offers a dialogue when and if needed. My son is listened to. When he has had the occasional problem in school he has been listened to in terms of being able to say what is upsetting him and they respond accordingly – if appropriate to do so.”

- 61 There are a few examples of enterprising practice where a consultation forum is pre-arranged at parents’ evenings which allow a more collective view to be received. In a few local authorities, schools work together as a cluster and meet up with parents, governors, community members and representatives from Health and Disability Support groups.
- 62 Where pupils are involved in policy development this normally means that they respond to questionnaires and take part in accessibility audits (see case studies 1 and 2 in appendix 2). There are other good examples of pupil participation including the involvement of school councils in updating anti-bullying policies and reviewing inclusion policies.
- 63 Very few staff with disabilities are employed in the provision visited. However, the two staff members interviewed reported that they regularly engage in policy development activities and could give examples of their involvement in the Disability Equality Schemes. These schools were inclusive and had made favourable adjustments to support disability equality.

Partnership working

- 64 There are many effective links between special and mainstream schools which encourage positive attitudes to disability. The sharing of facilities and other resources allows pupils to gain more diverse social experiences and provides opportunities to strengthen provision, understand difference and celebrate diversity.

For example, pupils from mainstream schools join courses in one special school as part of the Learning Pathway 14-19 choices.

- 65 Many special schools have made good use of the Welsh Assembly Government funding to pilot the 'Unlocking Potential of Special Schools' initiative to share practice and extend links between special and mainstream provision. For example, this initiative has funded teachers from specials schools to provide training about how to support pupils with disabilities for teachers in mainstream schools.
- 66 There are many good examples of collaboration with health, social services and voluntary organisations. For example, in one special school visited, Mencap Cymru work with young people with learning disabilities to provide them with wider opportunities to try out different leisure activities and to develop new friendships. In other schools, joint work with Careers Wales, the police or Disability Sport Wales increases the support and advice available and can improve outcomes for young people with disabilities (see case study 4 in appendix 2). Schools, particularly community schools, are working with an increasing number of partners to enhance the support available for pupils with disabilities. The co-location of partners, often achieved through the allocation of designated rooms for partners to work within a school, improves the quality and regularity of support and advice available for pupils with disabilities.
- 67 Most schools and local authorities work well together to promote disability equality. All local authorities have multi-disciplinary panels for various tasks associated with disability equality to make funding decisions about school placements, support and physical adaptations to buildings for pupils with disabilities. There is effective collaboration between departments within local authorities, such as the additional learning needs team and equalities team, and with other partners, such as health and social services. This collaboration contributes to robust decision-making. Parents are very positive about the provision and adjustments made for their child. However, a few parents had struggled initially to get their children's needs identified and assessed by their local authority.
- 68 There are also good examples of local authority involvement in promoting disability equality. Many local authority websites provide useful information, such as the identification of physical adaptations which have been made to their buildings, for example lowered desks in reception areas and how to access hearing loops. This raises disability equality awareness generally and sets an inclusive agenda for schools to follow. A few local authorities make their Disability Schemes available electronically in different formats, such as Easy Read versions (see glossary), and have links for access to other adapted formats. Summaries of Disability Equality Schemes which use signing as well as audio commentary are available on a few local authority websites. Other internal and external publicity mechanisms, such as disability press releases and website news pages, provide useful community information and raise awareness more generally of the progress made towards disability equality.
- 69 All authorities provide appropriate training about disability equality. In most authorities, headteachers, SENCOs and governing bodies all have access to training. All schools make effective use of the exemplar policies and templates provided by

their local authority to construct their Disability Equality Schemes. Many authorities are currently revisiting their training and support programme as new schemes are required to be in place following the three yearly review. The best authorities continue to monitor their schools' schemes, and one authority targets new headteachers and SENCOs, on a regular basis, to provide additional guidance.

- 70 Most involvement and training by local authorities happened at the beginning of the three-year cycle of Disability Equality Schemes, following the introduction of the DDA in 2006. Initial priorities included support for the construction of schemes and action plans.

Using data to identify and address disability equality issues

- 71 Generally, data collection and analysis for pupils with disabilities are undertaken in the same way as for all pupils although there is no national benchmarked data on performance in special schools.

Progress data

- 72 The end-of-key-stage data is collected in line with whole-school tracking systems for pupils. Outcomes for different groups in cohorts, such as pupils with disabilities, are analysed and responded to in a similar way as for all pupils.
- 73 Pupils' progress in relation to their individual education plans is reviewed and monitored regularly. At this individual level, pupils and most parents participate actively in discussions about progress and to decision-making about planning.
- 74 A few schools visited gave examples of curriculum changes arising from the review of outcome data for various groups. One secondary school leader noted that in key stage 3 their new integrated curriculum provided more opportunities for teachers to better match the identified needs of all pupils in a flexible and sustainable way. This was improving outcomes in the school, particularly for pupils with additional learning needs and disabilities.

Monitoring attendance and behaviour

- 75 All schools visited collect attendance and behaviour data on all pupils and analyse these for specific groups, such as pupils with disabilities. Most schools identify and provide additional support for pupils with disabilities and make appropriate adjustments, for example for pupils who need to attend hospital on a regular basis.

A very few pupils found that the level of support after periods of absence was not as high in their secondary school in comparison to their previous primary school. One pupil with profound medical needs recalled:

“My attendance has always been good apart from the time I regularly spend in hospital. Staff in the primary school always went out of their way to support me on my return.”

- 76 Analysis of data is also used well to inform referral to appropriate outside agencies such as where pupils' attendance and behaviour require additional support from education social workers or behaviour support teams.

Monitoring of bullying by disability

- 77 All schools visited have anti-bullying policies and maintain bullying incident logs. Leaders are aware of the current trends in bullying, for example cyber bullying, and most provision visited has well-developed systems to address these. However,

leaders are of the opinion that bullying by disability is uncommon and one leader suggested that:

“Pupils with disabilities need more support to understand the concept of bullying as their perception of bullying is not always correct.”

- 78 Bullying by disability is less likely to happen than for other reasons such as accent, poverty or learning difficulties (People and Work Unit, 2010). However, in discussion with pupils with disabilities, a minority stated they had been bullied. This occurs out of school and in school. Their personal examples, all within the last two years, included name-calling and in one case a physical attack, all of which referenced their physical disability. However, most pupils in special schools and PRUs stated that they are not bullied. Encouragingly, all pupils know how to act and whom to tell if bullying occurs. They are positive about how their schools respond to address these occurrences, but for a few pupils this does not stop the name-calling.

Staff data

- 79 Schools maintain databases with details of staff with disabilities, but only where they have permission from the individual. Examples of favourable adjustments for staff are numerous and are generally co-ordinated in line with the local authority's Human Resource department. Examples include a staggered return to work following health difficulties, a reduced workload, mentoring, and more favourable access arrangements.

How schools and PRUs assess the impact of their Disability Equality Scheme

Evaluating impact

- 80 The majority of schools have developed schemes together with action plans, but do not evaluate the impact of these schemes and plans well enough.
- 81 Leaders assess the impact of the Disability Equality Scheme informally and formally in regular discussion and meetings with parents, pupils, staff and governors. In addition, information from many annual reviews contributes to the process of impact assessment. These annual reviews include consideration of the following:
- whole-school self-evaluation report;
 - the Disability Equality Scheme action plan;
 - pupils' statements of special educational needs;
 - attainment data by cohorts and by groups where appropriate; and
 - relevant partnership working.
- 82 There are good examples where information is collected more widely than this, such as in responses to questionnaires from parents, pupils and staff, and from community education satisfaction reports. This evidence base strengthens impact assessment when it is used well.
- 83 Overall, schools' evaluation of the impact of the schemes and plans is underdeveloped. Although appropriate adaptations and favourable adjustments are increasing and improving over time, the impact of action plans is not assessed well enough. Evaluation does not inform forward planning. This needs strengthening for future schemes. Schools would benefit from further guidance from the local authority on how to improve the evaluation and judge the impact of their schemes on people with disabilities.

Special Educational Needs Tribunal for Wales

- 84 The number of appeals to the Special Educational Needs Tribunal for Wales (SENTW) remains low and, since 2007, it has been decreasing. The number of appeals on grounds of failure in relation to disability equality is very low and has decreased from nine in 2006-2007 to two in 2008-2009. The reasons for this include the following:
- parents and children are more satisfied with their provision;
 - parents are not well informed about their right to appeal on the grounds of disability equality; and
 - disability legislation has impacted positively on local authorities and schools and improved provision for people with disabilities.

Appendix 1

Evidence base

This report is based on a range of evidence including:

- Estyn's school and PRU inspection reports from 2007-2010, following the publication of the Welsh Assembly Government Guidance 'Promoting Disability Equality' in 2007. This sample included inspection reports from 777 primary schools, 107 secondary schools, 21 special schools and 15 PRUs;
- interviews with officers, with responsibility for inclusion and disability equality, from seven local authorities;
- visits to 20 schools and seven PRUs in these local authorities;
- information from an on-line survey, about Disability Equality Schemes, completed by nine schools from 10 additional local authorities in Wales;
- review of Disability Equality Schemes provided by the sample of authorities, their schools and PRUs; and
- review of a small selection of recent research.

Interviews were undertaken, in schools, with management teams (including governors), pupils with disabilities, parents and two staff members with disabilities. These interviews included:

- meetings with eight leaders, 11 parents, 18 pupils and one staff member in primary schools;
- meetings with six leaders, three parents and six pupils in secondary schools;
- meetings with six leaders, seven parents, 19 pupils, and one staff member in special schools; and
- meetings with seven leaders and 15 pupils in PRUs.

The team used standardised interview schedules for consistency and to structure the meetings. Themes explored included:

- the involvement of people with disabilities;
- favourable adjustments and pupils' educational outcomes;
- assessment of impact of policies on people with disabilities, particularly pupils;
- action plans, including timescales and procedures for annual review and three-yearly renewal;
- access to plans and information on disability equality including publication; and
- involvement of governing bodies, other partners and local authorities.

Findings from recent research

The effectiveness of educational provision for children with special educational needs or disabilities is subject to an ongoing debate. There is a large body of research available and the section below draws on a selection of recent reports.

Wide differences in support and provision are reported by parents across the United Kingdom. Research led by Birmingham University (2009), using a postal survey, found that parents held a largely positive view of the quality of educational provision for children with disabilities. The exception to this view was held by parents of children with emotional and social difficulties placed in mainstream schools.

Estyn (2007), in reviewing how well schools and local education authorities were implementing their duties, reported 10 main findings. These included:

- weaknesses in planning of placements for pupils with disabilities;
- lack of ensuring participation by parents and pupils in individual planning;
- under-developed partnerships between mainstream and special schools; and
- lack of specialist flexible transport to support pupils with disabilities to attend extra-curricular activities.

In Wales, 'Statements or Something Better' (WAG, 2007) recommends more empathy from local authorities with parents of children with special needs or disabilities and more emphasis on listening to the views of children, young people and parents. The report highlights the importance of inter-agency collaboration, particularly at times of transition. Four strategically identified pilot projects are currently being developed to inform the reform of the process of identification, support and provision for special educational needs and disabilities. A reformed and improved system should be:

- equitable fair and transparent;
- consistently applied across Wales; and
- flexible and responsive to individual needs.

It should foster effective partnerships with parents and voluntary organisations and offer:

- effective protection of entitlement;
- efficient use of resources;
- rigorous monitoring and evaluation;
- responsiveness to the views of young people and parents; and
- statements that are short and which adhere to timescales.

In England, the Lamb Inquiry (2009) highlighted the benefits gained when schools involve disabled pupils in developing the school's scheme. Pupils with disabilities can provide, if asked, valuable insights into what they think makes school life difficult, and what impedes their learning and limits their participation. The findings suggest that pupils with disabilities come up with practical, often simple, suggestions for how the school might make changes, such as improving anti-bullying procedures and improving access to learning. The inquiry concluded that involving pupils with disabilities has significant potential to improve their learning outcomes. The report highlighted the need for providing a more individual and personal approach to delivering services for special educational needs and disabilities.

Appendix 2

Case studies of good practice

Case study 1

Pupil participation in a special school in Pembrokeshire

Context

The special school is very inclusive and has an active school council. A group of students in the sixth form asked the school council to check out the route to the local supermarket, as it was difficult for them to manoeuvre their wheelchairs over the kerbs to cross the roads.

Action

The school council:

- arranged to walk this route with one of the students who uses a wheelchair, to see what obstacles on the route made the journey difficult. Two different routes were taken to see if there were viable alternatives;
- concluded that the only way that the students could get to the local supermarket, to do their shopping for their meal preparation, was by negotiating a very difficult high kerb, or crossing a very busy main road;
- produced a PowerPoint presentation to show the local council what the problems were; and
- delivered their presentation to the headteacher and asked for her support.

The headteacher invited the Access Officer for the local authority to visit and the pupils also involved a local councillor to come to school and watch their presentation. The access officer agreed to walk the route with the students and subsequently took their information to the County Council's transport department.

The headteacher, local authority access officer and local councillor acknowledged the findings and fully supported the students.

Outcome

The Council sent a letter to the pupils to acknowledge the difficulties and to say that the necessary work would be carried out by the following April. This work, which included dropping the kerbs on the route and putting in a traffic calming measure, was completed within a short time frame. The students were delighted that their voice had been heard and that the necessary adjustments had been prioritised. The school council held a planning meeting to discuss how best to respond to this request, particularly as it was out of school and in the community. The headteacher, local authority access officer and local councillor had acknowledged and supported their recommendations.

Case study 2

A pupil in a Flintshire primary school, who is a wheelchair user, contributes to an audit of accessibility.

Context

As part of evaluating the accessibility of the school, a school in Flintshire asked a pupil who uses a wheelchair to become involved and inspect the school to find out how easy it was for him to access the school building and grounds.

Action

The pupil and his learning support assistant (LSA) decided to travel around the school together to check which areas were easy to access and which were more difficult. The LSA agreed to make notes for him.

The pupil travelled around the school, inside and outside, in his wheelchair, with his LSA. He came up with the following list of suggestions:

- a ramp by the front door;
- special handles for him to be able to open doors;
- to go faster in the wheelchair around school;
- a path to the pond because it is bumpy and wheels get stuck;
- the paper towels lowered or something to hang a hand towel on in the toilets;
- a way to get out of his wheelchair more easily;
- games in the playground;
- to do physiotherapy instead of physical education sometimes;
- his pencil placed nearer to his book support; and
- something to make his hand writing neater.

Outcome

The school responded very quickly to supply what the pupil had requested, and considered that this approach resulted in a very informative access audit directly informed by the pupil, which strengthened the school's disability action planning.

Case study 3

A Ceredigion primary school made many favourable adjustments to include a pupil with severe disabilities on a residential school trip.

Context

The school is a very inclusive community and was very keen for a Year 6 pupil, with a rare medical condition and severe disabilities, to accompany her peers on a three-day residential trip. The pupil's disabilities required a number of adjustments to be made for her to take part in the trip. She needed to be able to use and be transported in a wheelchair, have a specific diet and take medication regularly. Additional support staff were required to monitor and support her over the three days and nights.

The school wanted the pupil to have the same experience of independence from home as the rest of the pupils. This was a particular challenge as the pupil had never been away from home or parents before, for more than a few hours. The school was also careful that the residential centre chosen should challenge and interest the other 80 pupils.

Action

The school planned well in advance and after researching found a new activity centre in Cardiff that suited the needs of all the children. Most of the activities were to take place in the Cardiff Bay area where wheelchair access was very good. A number of planning meetings with nurses, parents of the pupil and close friends, and the centre were held. A number of favourable adjustments were agreed, including the following:

- the school paid additional insurance so that a member of staff could drive the parents' specially adapted vehicle which could transport the pupil in her wheelchair;
- special dietary requirements were made available by the centre and suitable snacks provided by her parents;
- a nurse, learning support assistant and the SENCO accompanied the pupil and stayed in adjacent rooms; and
- the pupil shared the room with close friends and was given a telephone for contact with staff.

Outcomes

The pupil gained greatly from her first experience away from home. This enabled her to develop more independence and social skills and to experience a sense of maturity and personal achievement. The parents were very pleased with the success of this first stay away from home for their daughter. The school community and parents were very satisfied that all of the forward planning and co-ordination had resulted in such a good outcome.

Case study 4

A partnership with Disability Sport Wales and a Ceredigion school helps a pupil with disabilities achieve sporting excellence and develop great leadership skills.

Context

The pupil's sporting talent in football was first noticed by school and the officer for Disability Sport Wales. The officer arranged for the pupil to go to a series of football trials. The pupil was delighted to be chosen to compete for his country in Geneva. Following that excellent achievement, school staff and the officer observed that the pupil's confidence and leadership skills had developed further, particularly when playing football for his team.

Action

The school and Disability Sport Wales Officer were keen to help the pupil continue to develop his sporting skills and saw his potential as a future football coach.

The pupil was offered the opportunity to advance his sporting skills and acquire new coaching skills. He first attended a Dragon Sport Leader Course and then a number of additional sporting courses, such as athletics and Boccia. He also completed a disability inclusion course and First Aid Course.

Outcome

Four years on, the young man:

- continues to play and coach football for a disability football club;
- volunteers on a weekly basis to assist coaching athletics for children aged five and over;
- volunteers on a range of other sports clubs and school events;
- won the Ceredigion Sports Council Volunteer of the Year award in 2009; and
- has a full time job.

The Disability Sport Wales officer reported:

“His contribution to the scheme has been outstanding and seeing him grow in confidence and becoming a competent leader in clubs he used to be a part of is brilliant.”

Appendix 3

Relevant research and publications

Disability Discrimination Act 1995

Disability Discrimination Act 2005

Disability Discrimination Act 2006

Disability Discrimination Act (1995) the practice of schools and local education authorities in implementing their duties: Estyn, February 2007

Equality Act 2010

First Minister's report on the implementation of the Disability Equality Duty: Welsh Assembly Government, December 2008

Review of Special Educational Needs and Disability Information: Lamb, 2009

Promoting Disability Equality in Schools: Welsh Assembly Government, 2007

A Survey into the Prevalence and Incidence of School Bullying in Wales
Main Report: People and Work Unit, 2010

Review of Special Educational Needs and Disability Information: Lamb, 2009

Satisfaction with educational provision for children with SEN or disabilities: a national postal survey of the views of parents in Great Britain: Parsons et al, Educational Review, Volume 61, Issue1 February 2009, pages 19-47

Statements or Something Better: Welsh Assembly Government, 2007

Glossary

Accessibility plan	A statutory requirement to provide details of how the school is to improve its accessibility for disabled pupils. There are three requirements for the plan: to increase access to the curriculum, make improvements to the physical environment, and make written information available to pupils in a range of ways.
Bocce	A paralympic sport for athletes with severe disabilities affecting motor skills. It is similar to bowls.
Disability Sport Wales National Development Programme	A joint initiative between the Sports Council for Wales, the Federation for Disability Sport Wales and the 22 authorities in Wales to promote the involvement of people with disabilities in community-based sporting and recreational opportunities
Easy Read	Easy Read versions of documents, leaflets and websites are adapted to make sure they use simple language, explain difficult terms and use pictures to illustrate what is being said. A guide can be found on the Equality and Human Rights Commission website: http://www.equalityhumanrights.com/uploaded_files/how_to_use_easy_words_and_pictures.pdf
Unlocking Potential of Special Schools	A Welsh Assembly Government funded initiative to promote further inclusion, raise awareness of expertise in special schools and promote a good exchange of skills between special and mainstream school staff
Special Educational Needs Tribunal for Wales	A body funded by the Welsh Assembly Government, but independent of the Assembly and Local Government Authorities. Its role is to consider appeals from parents against decisions made by Welsh local authorities about children's special educational needs.
SENCO	The special educational needs co-ordinator oversees the arrangements made by the school to meet the needs of pupils identified as having special educational needs, as described by the Code of Practice for SEN, 2004.

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